

### REMARKS

Applicants request favorable reconsideration of this application in view of the foregoing amendments and the following remarks. Of claims 1-10 and 12-23 that were pending in the application, claims 1-3, 5-7, 9, 12, 14, 15, 17, 18, and 21 were rejected in the Office Action. By way of this amendment, Applicants have: (a) amended claims 1, 4, 12, 13, 16, and 23; and (b) added new claims 24-33. Accordingly, claims 1-10 and 12-33 are respectfully presented for further consideration.

Applicants greatly appreciate the indication of allowable subject matter in each of claims 4, 8, 10, 13, 16, 19, 20, 22, and 23. In response to this positive indication, claims 13 and 23 have been amended to be in independent claim format and, therefore, claims 13 and 23 should be in condition for allowance.

#### **1. Rejection under 35 U.S.C. § 112**

The Examiner rejected claims 14 and 16 under 35 U.S.C. § 112, ¶ 2 as allegedly being indefinite. The rejection of each of these claims is hereafter discussed.

The Examiner rejected claim 14 as being “indefinite because it cites combination/subcombination problem. ‘The steering-gear housing’ is not positively recited in the preamble of claim 1.” Office Action at p. 2 Applicants respectfully believe that this rejection was made in error because claim 14 depends from claim 12, not claim 1, and because the preamble of claim 12 provides antecedent basis for the recitation of “the steering-gear housing” in claim 14. However, to the extent that the body of claim 12 did not recite “a steering-gear housing” and to the extent that the Examiner may have intended to say “claim 12” rather than “claim 1,” Applicants have amended the bodies of claims 1 and 12 to introduce, without positively reciting, “a steering-gear housing” and “a vehicle-body member.” Accordingly, no amendment to claim 14 is necessary and the rejection thereof under § 112 should be withdrawn.

The Examiner rejected claim 16 because “the drawing does not show concave formed in the vehicle-body member.” Office Action at p. 2. Applicants respectfully submit that this rejection has been fully obviated by way of the amendments made herein to claim 16; similar amendments have also been made to claim 4. A withdrawal of this rejection is, therefore, both warranted and earnestly solicited.

**2. Rejections under 35 U.S.C. § 103(a)**

Under 35 U.S.C. § 103(a), the Examiner rejected: (a) claims 1-3, 6, 7, 9, 12, 14, 15, 18, and 21 as allegedly being obvious in view of U.S. Patent No. 4,314,710 (“Kamoshita”); and (b) claims 5 and 17 as allegedly being obvious when considering Kamoshita in view of U.S. Patent No. 4,020,531 (“Ahrens”). For at least the following reasons, Applicants respectfully traverse both of these rejections.

As amended herein, independent claim 1 (*i.e.*, the claim from which claims 2, 3, 5-7, and 9 depend) recites a structure for fixing a steering-gear housing to a vehicle-body member. This structure includes, among other possible things (*italic emphasis added*):

- a first bracket comprising:
  - a first supporting face that is configured to support one circumferential side face of a steering-gear housing,
  - a first abutting face that is arranged at one circumferential end and that is configured to abut a vehicle-body member,
  - a first bolt hole arranged through the first abutting face, and
  - a second abutting face arranged axially opposite to the first abutting face through the first bolt hole;
- a second bracket comprising:
  - a second supporting face that is configured to support another circumferential side face of the steering-gear housing,
  - a third abutting face that is arranged at one circumferential end and that abuts the second abutting face, and
  - a second bolt hole that is arranged through the third abutting face at a position corresponding to the first bolt hole and that is smaller in an axial length than the first bolt hole;
- a member that secures another circumferential end of the first bracket and another circumferential end of the second bracket; and
- a bolt that is arranged from the second bolt hole through the first bolt hole and that is configured to be inserted through a third bolt hole formed in the vehicle-body member to clamp together the first bracket, the second bracket, and the vehicle-body member.*

Similarly, independent claim 12 (*i.e.*, the claim from which claims 14, 15, 17, 18, and 21 depend), as amended herein, recites a structure for fixing a steering-gear housing to a vehicle-body member. This structure includes, among other possible things (*italic emphasis added*):

- a first bracket comprising:
  - a first supporting face that is configured to support one circumferential side face of a steering-gear housing,
  - a first abutting face that is arranged at one circumferential end and that is configured to abut a vehicle-body member,
  - a first bolt hole arranged through the first abutting face, and
  - a second abutting face arranged axially opposite to the first abutting face through the first bolt hole;
- a second bracket comprising:

a second supporting face that is configured to support another circumferential side face of the steering-gear housing,  
a third abutting face that is arranged at one circumferential end and that abuts the second abutting face, and  
a second bolt hole that is arranged through the third abutting face at a position corresponding to the first bolt hole and that is smaller in an axial length than the first bolt hole;  
means for securing another circumferential end of the first bracket and another circumferential end of the second bracket; and  
*means, arranged from the second bolt hole through the first bolt hole and configured to extend through a third bolt hole formed in the vehicle-body member to clamp together the first bracket, the second bracket, and the vehicle-body member.*

As hereafter explained, Kamoshita and Ahrens (standing alone or combined) fail to teach or suggest the structures recited in claims 1 and 12.

Preliminarily, Applicants incorporate all arguments made in the Amendment and Reply filed September 22, 2005. In addition, however, Applicants take this opportunity to highlight additional shortcomings of Kamoshita and Ahrens. Specifically, Kamoshita completely fails to teach or suggest a “a third bolt hole formed in the vehicle-body member,” as recited in claims 1 and 12. *See* Kamoshita at Fig. 3. Moreover, as a result of this failure, Kamoshita also fails to teach or suggest: (a) a bolt that is “configured to be inserted through a third bolt hole formed in the vehicle-body member,” as recited in claim 1; or (b) means “configured to extend through a third bolt hole formed in the vehicle-body member,” as recited in claim 12.

Ahrens fails to cure the aforementioned deficiencies of Kamoshita. Specifically, Ahrens teaches shanks 10 (bolts) that pass through holes in lower and upper clamp members 1, 8 (first and second bracket members). *See* Ahrens at see Figs. 1 and 3. Ahrens shanks 10 (bolts) do not, however, also extend through a hole in a vehicle-body member against which an abutting surface of the lower clamp (first bracket) abuts. Rather, the shanks 10 (bolts) extend through a clamp 32 that, in turn, is connected to support parts 19, 20 that, in turn, abut the legs 3 of lower clamp 1 (first bracket). Accordingly, as the clamp 32 does not abut the lower clamp 1 (first bracket), the clamp 32 can not be analogized to the vehicle-body member recited in claim 1 and, therefore, Ahrens can not be used to cure the aforementioned deficiencies of Kamoshita.

For at least the foregoing reasons, it is clear that Kamoshita and Ahrens fail to teach or suggest at least the above-italicized limitations recited in claims 1 and 12. As a result, Kamoshita and Ahrens (standing alone or combined) can not be used to reject claims 1 and 12, or any claim dependent thereon, under 35 U.S.C. § 103(a). Moreover, as claims 2, 3, 5-7,

and 9 depend from claim 1 and as claims 14, 15, 17, 18, and 21 depend from claim 12, each of these dependent claims is also allowable over Kamoshita and Ahrens, without regard to the other patentable limitations recited therein. Accordingly, a withdrawal of the rejections of claims 1-3, 5-7, 9, 12, 14, 15, 17, 18, and 21 under § 103(a) is both warranted and earnestly solicited.

### 3. New Claims 24-33

New claim 24 (*i.e.*, the claim from which claims 25-33 depend) recites a structure that includes, among other possible things (*italic emphasis added*):

- a bracket assembly configured to support a steering-gear housing on a vehicle-body member, the bracket assembly comprising:
  - a first bracket comprising:
    - a primary inside supporting surface;
    - a primary first end; and
    - a primary second end;
  - a second bracket comprising:
    - a secondary inside supporting surface;
    - a secondary first end; and
    - a secondary second end; and
  - a fastening device,

*wherein the fastening device is configured to releaseably: (a) fasten together the primary and secondary second ends; and (b) fix the primary and secondary second ends to the vehicle-body member,*

  - wherein the primary and secondary inside supporting surfaces are configured to clamp the steering-gear housing,
  - wherein the primary first end is configured to: (a) be joined with the secondary first end; and (b) not be joined to the vehicle-body member, and
  - wherein the first bracket is configured to be fixed to the vehicle-body member only at the primary second end.

As previously discussed with respect to claims 1-3, 5-7, 9, 12, 14, 15, 17, 18, and 21, neither Kamoshita nor Ahrens teaches or suggests a bolt or means extends through holes in a first and second brackets and that is configured to extend through a hole in a vehicle-body member. Similarly, neither Kamoshita nor Ahrens teaches or suggests a fastening device that “is configured to releaseably: (a) fasten together the primary and secondary second ends [of first and second brackets]; and (b) fix the primary and secondary second ends to the vehicle-body member,” as above-italicized. As a result, Kamoshita and Ahrens (standing alone or combined) can not be used to reject new claim 24 or any claim dependent thereon under 35 U.S.C. §§ 102, 103. Moreover, as new claims 25-33 depend from new claim 24, each of these dependent claims is also allowable over Kamoshita and Ahrens, without regard to the other patentable limitations recited therein.

**CONCLUSION**

For the aforementioned reasons, claims 1-10 and 12-33 are now in condition for allowance. A Notice of Allowance at an early date is respectfully requested. The Examiner is invited to contact the undersigned if such communication would expedite the prosecution of the application.

Respectfully submitted,

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THE COMMISSIONER IS HEREBY AUTHORIZED TO CHARGE ANY ADDITIONAL FEES WHICH MAY BE REQUIRED REGARDING THIS APPLICATION UNDER 37 C.F.R. §§ 1.16-1.17, OR CREDIT ANY OVERPAYMENT, TO DEPOSIT ACCOUNT NO. 19-0741. SHOULD NO PROPER PAYMENT BE ENCLOSED HERewith, AS BY A CHECK BEING IN THE WRONG AMOUNT, UNSIGNED, POST-DATED, OTHERWISE IMPROPER OR INFORMAL OR EVEN ENTIRELY MISSING, THE COMMISSIONER IS AUTHORIZED TO CHARGE THE UNPAID AMOUNT TO DEPOSIT ACCOUNT NO. 19-0741. IF ANY EXTENSIONS OF TIME ARE NEEDED FOR TIMELY ACCEPTANCE OF PAPERS SUBMITTED HERewith, APPLICANT HEREBY PETITIONS FOR SUCH EXTENSION UNDER 37 C.F.R. § 1.136 AND AUTHORIZES PAYMENT OF ANY SUCH EXTENSIONS FEES TO DEPOSIT ACCOUNT NO. 19-0741.